

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerolf Zimmermann et al.

Serial No: 10/540,215

U.S. Filed: 6/20/2005

For: Method and Means for Determining Specific Conditions or Changes in the
Uterine Epithelium and in the Epithelium of other Organs

Examiner: Suchira Pande

Art Unit: 1637

Commissioner for Patents

Alexandria, VA 22313-1450

LETTER RE INFORMATION DISCLOSURE STATEMENT

Information Disclosure Statement PTO/SB/08a is submitted again with the filing of the Request for Continued Examination in order to correct an error in the statement made in the previously submitted Information Disclosure Statement containing the same references. The references are not submitted again as they are on file.

The references in question had been cited in an office action issued by the German Patent and Trademark Office in the counterpart German application. This office action has a mailing date of October 2, 2007, and was received in the law office of the German associate on October 17, 2007.

The undersigned was under the impression that the date of receipt in the foreign

associate's office triggered the 3 month certification period as this is the date the references have become known to the foreign associate. When recently reviewing the certification requirements outlined in **MPEP 609.04(b) Timing Requirements for an Information Disclosure Statement [R-5] - 600 Parts, Form, and Content of Application under the heading V. STATEMENT UNDER 37 CFR 1.97(e)** the undersigned discovered to her dismay that actually the mailing date of the foreign office action sets the 3 month period.

The undersigned has made the certification in the previous Information Disclosure Statement in error without any deceptive intent and therefore resubmits the Information Disclosure Statement with the filing of the Request for Continued Examination so as to have a properly filed Information Disclosure Statement on record.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted April 18, 2008,

/Gudrun E. Hockett/

Ms. Gudrun E. Hockett, Ph.D.
Patent Agent, Registration No. 35,747
Schubertstr. 15a
42289 Wuppertal, GERMANY
Telephone: 49-202-257-0371
Facsimile: 49-202-257-0372
gudrun.draudt@t-online.de

GEH
Enclosures: ☒ PTO 1449 or PTO/SB08a
☒ reference(s)
☐ search report (incl. translation)
☐ fee